

RESOLUTION NO. 2006-110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA,
GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY,
NOVEMBER 7, 2006, FOR THE SUBMISSION OF A PROPOSED ORDINANCE

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the legislative body of the City of Lodi, California, signed by more than 10 percent of the number of registered voters of the City to submit a proposed ordinance relating to water rate reduction; and

WHEREAS, the San Joaquin County Registrar of Voters examined the records of registration and ascertained that the petition is signed by the requisite number of voters and has so certified; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed ordinance to the voters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is ordered to be held in the City of Lodi, California, on Tuesday, November 7, 2006, a General Municipal Election for the purpose of submitting the following proposed ordinance:

Shall the ordinance rescinding Resolution No. 2005-203 entitled, "A Resolution of the Lodi City Council establishing water rates" be passed?	Yes
	No

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: June 7, 2006

I hereby certify that Resolution No. 2006-110 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 7, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Mayor Hitchcock

ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. PERRIN
Interim City Clerk

EXHIBIT A

WATER RATE REDUCTION INITIATIVE (Text of Proposed Ordinance)

AN ORDINANCE BROUGHT BY THE PEOPLE OF THE CITY OF LODI REPEALING RESOLUTION NO. 2005-203 OF THE LODI CITY COUNCIL "A RESOLUTION OF THE LODI CITY COUNCIL ESTABLISHING WATER RATES" IN RESPONSE TO THE WATER UTILITY TAXATION IMPOSED UPON THE PEOPLE

Whereas regarding purpose.

Whereas the City of Lodi has a legal responsibility to promote the public health, safety, and trust of the residents of the city of Lodi and

Whereas the City of Lodi has instituted significant increases in water rates without sufficient public input for the purpose of cleaning up water contamination, the residents of the City of Lodi request the following ordinance to be placed on the next General Election ballot.

SECTION 1: The resolution No. 2005-203 of the Lodi City Council "A resolution of the Lodi City Council establishing water rates" shall be repealed.

SECTION 2: That the Levy of Charges imposed pursuant to section 13.08.010 of the Lodi Municipal Code shall be repealed.

SECTION 3: That after the date that this ordinance is approved by the voters, all funds collected under the authority of Resolution No. 2005-203 of the Lodi City Council shall be refunded to the rate payers of the City of Lodi in a reasonable and prompt time frame.

SECTION 4: *This ordinance can only be repealed by a majority vote by the voters of the City of Lodi on a General Election ballot.*

SECTION 5: This ordinance is effective the day approved by the voters of the City of Lodi.